

## UNITED STATES DISTRICT COURT

for the  
District of South Carolina

Wayne Michael Smith,

*Plaintiff*

v.

Greenwood County Detention Center; Linda  
Middleton, Captain; Tony Davis, Sheriff,*Defendants*

Civil Action No. 1:14-cv-01113-TMC

**JUDGMENT IN A CIVIL ACTION**The court has ordered that *(check one)*:

☐ the plaintiff *(name)* \_\_\_\_\_ recover from the defendant *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* \_\_\_\_\_ recover costs from the plaintiff *(name)* \_\_\_\_\_.

☒ other: the plaintiff, Wayne Michael Smith, shall take nothing of the defendant; Greenwood County Detention Center, from the complaint filed pursuant to 42 U.S.C. § 1983 and this action is dismissed without prejudice as to defendant Greenwood County Detention Center.

☒ other: the plaintiff, Wayne Michael Smith, shall take nothing of the defendants, Linda Middleton and Tony Davis, as to the complaint filed pursuant to 42 U.S.C. § 1983 and this action is dismissed with prejudice for lack of prosecution and for failure to comply with this court's orders pursuant to Rule 41(b).

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Timothy M. Cain, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended dismissing the complaint without prejudice as to Greenwood County Detention Center.

☒ decided by the Honorable Timothy M. Cain, United States District Judge, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended the dismissal of this action with prejudice as to Linda Middleton and Tony Davis.

Date: December 18, 2014

ROBIN L. BLUME, CLERK OF COURT

s/M. Walker

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*Signature of Clerk or Deputy Clerk*